DEPARTMENT OF THE ARMY
NORTHWESTERN DIVISION, CORPS OF ENGINEERS
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Reply to
Attention of:

JUN 05 2000

Planning Division

Mr. Chuck Clarke
United States Environmental Protection
Agency, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Dear Mr. Clarke:

Since our last meeting on April 18, 2000, our respective staffs have continued to meet to discuss water quality in the Columbia River Basin. They met with representatives of the states and Tribes on April 20, 2000, to discuss how the Federal agencies plan to address water quality in the upcoming Biological Opinion (BiOp) on the Federal Columbia River Power System (FCRPS) and a concept for a basin-wide water quality plan. In addition, on April 27, 2000, the Environmental Protection Agency (EPA) provided comments to the Corps' Walla Walla District on the Lower Snake River Juvenile Salmon Migration Draft Feasibility Report and Environmental Impact Statement (DEIS). I would like to take this opportunity to address several issues common to both of these actions.

Water quality in the Columbia River Basin is one important indicator of the overall condition of the ecosystem, as well as a consideration in actions taken to recover anadromous and resident fish species listed under the Endangered Species Act (ESA). As a matter of policy, not as a legal requirement, the Corps complies with applicable water quality standards to the extent practicable in the operation of multiple purpose water resource projects. This policy also applies to others who seek operation of these projects where that operation would result in a voluntary and intentional operation that would exceed applicable water quality standards. In these instances, we require that the requestor provide appropriate documentation of EPA or state coordination. In most instances, the Corps' management of its projects meets water quality standards. However, there are those instances where it is neither practicable nor feasible to operate or design project modifications to meet these standards; for example, operating for flood events or other events where the flow will exceed powerhouse capacity. To our knowledge, it is presently not practicable to modify existing projects basin-wide to meet temperature standards, although some projects can be operated to release cooler water from the reservoir and thus help lower downstream water temperature.

For the last several years on the lower Snake and Columbia rivers, the Corps had made modifications to project spillways and operations to improve passage for juvenile salmonids to meet Corps responsibilities under the Biological Opinions. In some instances, operations for the benefit of listed species have resulted in total dissolved gas (TDG) levels above current water

quality standards for the Northwest states. The National Marine Fisheries Service (NMFS) has determined in past BiOps that voluntary spill levels for fish passage do not pose an unacceptable risk to anadromous fish stocks at TDG levels above these standards. In the last few years, NMFS has also prioritized the use of Dworshak releases to augment flows for summer juvenile migration rather than later releases for cooling river temperatures for migrating adult fall chinook.

Additionally, in accordance with the 1995 NMFS BiOp, the Corps was tasked to evaluate alternatives to improve passage of juvenile anadromous fish in the lower Snake River. The DEIS addresses the effects of these alternatives on water quality, and references the current water quality standards. EPA's comments on the DEIS suggest that the scope of the DEIS be expanded to include attainment of water quality standards. While I am willing to work with EPA on ways to improve water quality in the Columbia River Basin as outlined below, I believe the scope of the DEIS is appropriately focused on anadromous fish passage in the lower Snake River. Our respective staffs have already met to start addressing EPA's comments and the next version of the EIS will contain an expanded discussion of the water quality impacts of all alternatives under consideration.

Recently, in the Federal Caucus our staffs have been working on plans to address the objectives of the Clean Water Act (CWA). While the focus of the BiOp is on the operation and configuration of the FCRPS to avoid jeopardizing listed stocks, I believe it is appropriate to include a recognition of the intent of the Federal agencies to cooperatively address water quality basin-wide. Our respective agency staffs have worked with staffs from the Bonneville Power Administration, the Bureau of Reclamation, and the National Marine Fisheries Service to develop a concept for a separate "Water Quality Plan" (Plan) for Federal and other facilities in the main stem Columbia and Snake rivers. This concept, as noted above, was discussed with representatives from the water quality agencies of Idaho, Oregon, and Washington and several Tribal representatives on April 20, 2000.

My staff has briefed me on this subject, and I agree with their recommendations that we should continue to develop this Plan, including identifying resources to develop the scope, schedule and funding base. In this process, I believe we need to address the following scientific and institutional issues.

In the area of TDG levels, the near term objective of ESA consultation is to implement measures to permit voluntary spill up to levels of 120% TDG in accordance with appropriate state administrative waivers or other state processes. The current state water quality standard for TDG in the four Northwest states is 110%. I am sure you can appreciate the balancing the Corps must do in order to avoid jeopardizing listed species, meet current water quality standards or modifications, and provide for other uses served by Corps projects. I seek your assistance, as well as that of NMFS, in addressing this balance. It is especially important to come to agreement with regard to what the short-term objectives should be for FCRPS operational and system configuration decisions.

For water temperature, I believe this issue has to be evaluated on a basin-wide approach rather than on a project by project basis. Towards that end, our respective staffs are working to

arrive at common understandings and supportable parameters for use in various temperature models.

The proposed Plan also includes development of information that may provide a basis for future uses and/or water quality criteria revisions. In this context, the Plan will provide updated scientific information and analysis of the Columbia River Basin to support changes that may be recommended, including changes to the water quality standards.

Examining water quality in the main stem Columbia and Snake Rivers has the potential to significantly affect Federal and non-federal projects basin-wide, and we should closely monitor the progress of the actions discussed in this letter. I look forward to continuing to work with you on this highly complex issue. If you have any questions or wish to discuss this further, please give me a call.

Sincerely,

Carl A. Strock
Brigadier General, U.S. Army
Division Engineer

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we've made suggestions
we have not ~~ag~~ reached agreement

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